

**LAW REVISION COMMISSION  
ON CHOPPING BLOCK**

The Governor's budget for 2003-04 contains the following sentence of concern to many: "The [California Law Revision Commission](#) is proposed for elimination effective July 1, 2003. "

The CLRC was created in 1953 and is charged with reviewing California law and recommending reforms. In years past, the commission drafted the state's Evidence Code and Family Code, re-codified the Probate Code, and has been the source of many other large and small changes in and improvements to California's statutory law. The current authorizing resolution ([SCR 4 – Morrow](#)) for the CLRC lists 20 separate topics the Legislature is requesting it study.

The CLRC consists of one Senator, one Assembly member, and seven members appointed by the Governor. The Legislature's Legislative Counsel is an ex officio member. The Commission has a five-member staff and its current budget is \$666,000, most of which comes from the General Fund. The Governor's 2003-04 Budget does not have any money slated for the Commission.

A recent article in the Daily Journal legal newspaper indicates that that the Commission has bipartisan support from many past and current members of the Legislature. San Mateo Superior Court Judge (and former Senator) Quentin Kopp is quoted as saying the Commission "produces more useful recommendations regarding additions, deletions and changes in California statutes than any comparable body in our state." Senator Dick Ackerman (R - Orange County) added that "the amount of money the Commission gets is relatively small compared with the amount of money it saves. To eliminate it would be a mistake, because it would cost more to start it up again." And former Assemblyman Howard Wayne (D - San Diego), now a deputy attorney general, said that eliminating the Commission's budget "would be a huge loss to the lawmaking abilities of the state."

The Legislature has the option of restoring the CLRC's funding in the budget bill. Then, if

Governor Davis does not delete this money via a veto, the Commission could continue operating through June 30, 2004.

**BUDGET CUTS & CAR TAX INCREASE**

The Assembly voted Tuesday to cut \$3.5 billion from the state budget adopted in September, but only if Gov. Gray Davis agrees to an increase in the license fee on most motor vehicles. The Senate followed Thursday by approving a slightly reduced \$3.2 billion in cuts, but has not yet approved the Vehicle License Fee (VLF) proposal.

To make matters more interesting, the Assembly measure ([AB 4x --Wesson](#)), which would increase state revenues by roughly \$3 billion by rescinding a 2/3 reduction in the VLF made three years ago, became the subject of some artful legal and procedural jockeying. Tax increases in California usually require a 2/3 vote of the Legislature for approval. However, AB 4x is a majority-vote measure because it does not directly raise the levy, but instead either clarifies or changes (depending upon which side is doing the describing) the existing trigger administratively repealing the previous cut in the VLF when the state is short of money.

The fight took on a new dimension when Senator [Tom McClintock](#) (R-Thousand Oaks) pledged to launch a referendum on the measure if it was signed into law. If such a campaign were to obtain 373,000 signatures, the effect of the law would be stayed (i.e., no VLF increase would take effect) until the voters could decide the issue at the next general election – which is not scheduled until March 2004.

To counter this threat, the proponents of AB 4x amended the bill to make the former VLF decrease permanent (i.e., not subject to the trigger) for vehicles worth less than \$5,000. This change made the bill a technical tax reduction (even though it will result in over \$4 billion in increased revenue to the state) and thus a tax levy – which is not subject to referendum under the state Constitution.

More to come . . undoubtedly.